

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

REGINA MCATEE

Criminal No. 2:24-cr-67

**INFORMATION MEMORANDUM**

AND NOW comes the United States of America, by its attorneys, Eric G. Olshan, United States Attorney for the Western District of Pennsylvania, and Nicole Vasquez Schmitt, Assistant United States Attorney for said District, and submits this Information Memorandum to the Court:

**I. THE INFORMATION**

A one-count Information was filed against the above-named defendant for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
One	Conspiracy to Distribute and Possess with Intent to Distribute a Quantity of a Mixture and Substance Containing a Detectable Amount of Methamphetamine	21 U.S.C. § 846

From November 2020 to January 2023

**II. ELEMENTS OF THE OFFENSE**

**As to Count 1:**

In order for the crime of conspiracy to distribute and possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846, to be

established, the government must prove the following essential elements beyond a reasonable doubt:

1. That two or more persons agreed to distribute and possess with the intent to distribute a controlled substance.
2. That the defendant was a party to or member of that agreement.
3. That the defendant joined the agreement or conspiracy knowing of its objective to distribute and possess with the intent to distribute a controlled substance and intending to join together with at least one other alleged conspirator to achieve those objectives; that is, that the defendant and at least one other alleged conspirator shared a unity of purpose and the intent to achieve those objectives.
4. That methamphetamine is a Schedule II controlled substance, pursuant to 21 U.S.C. § 812(c).

Third Circuit Model Criminal Jury Instruction 6.21.846B (modified).

### **III. PENALTIES**

**A. As to Count One: Conspiracy to distribute and possess with the intent to distribute a quantity of mixture and substance containing a detectable amount of methamphetamine (21 U.S.C. § 846);**

1. A term of imprisonment of not more than twenty (20) years.
2. A fine not to exceed \$1,000,000.
3. A term of supervised release of at least three (3) years.

For a second or subsequent felony drug conviction that is final, whether federal, state, or foreign:

1. A term of imprisonment of not more than thirty (30) years.

2. A fine not to exceed \$2,000,000.
3. A term of supervised release of at least six (6) years.

**IV. MANDATORY SPECIAL ASSESSMENT**

A mandatory special assessment of \$100.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

**V. RESTITUTION**

Not applicable in this case.

**VI. FORFEITURE**

Not applicable in this case.

Respectfully submitted,

ERIC G. OLSHAN  
United States Attorney

*/s/ Nicole Vasquez Schmitt*  
NICOLE VASQUEZ SCHMITT  
Assistant U.S. Attorney  
PA ID No. 320316